

Before the
Federal Communications Commission
Washington, D.C. 20554

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| In the Matter of |) | File No.: EB-09-SE-066 |
| |) | |
| |) | NAL/Acct. No.: 201032100030 |
| CruiseEmail |) | |
| |) | FRN: 0006501092 |

FORFEITURE ORDER

Adopted: February 7, 2013

Released: February 7, 2013

By the Chief, Spectrum Enforcement Division, Enforcement Bureau:

1. In this Forfeiture Order, we issue a monetary forfeiture in the amount of fifteen thousand dollars (\$15,000) to CruiseEmail, licensee of public coast stations KDS (Olympia, Washington) WGM (Fort Lauderdale, Florida), and WHX (Pocomoke, Maryland), for willful and repeated violations of Section 301 of the Communications Act of 1934, as amended, and Section 1.903(a) of the Commission's rules.¹ The noted violations involve CruiseEmail's operation of stations KDS, WGM, and WHX at locations other than their licensed locations without prior Commission authorization.

2. On June 11, 2010, the Enforcement Bureau's Spectrum Enforcement Division issued a *Notice of Apparent Liability for Forfeiture (NAL)* in the amount of \$15,000 to CruiseEmail for operating stations KDS, WGM, and WHX at locations other than their licensed locations without prior Commission authorization.² CruiseEmail did not file a response to the *NAL*. Based on the information before us, we affirm this forfeiture.

3. Accordingly, **IT IS ORDERED THAT**, pursuant to Section 503(b) of the Communications Act of 1934, as amended, and Sections 0.111, 0.311 and 1.80 of the Commission's rules,³ CruiseEmail **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of fifteen thousand dollars (\$15,000) for willful and repeated violations of Section 301 of the Communications Act of 1934, as amended, and Section 1.903(a) of the Commission's rules.⁴

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Commission's rules within thirty (30) calendar days after the release date of this Forfeiture Order.⁵ If the forfeiture is not paid within the period specified, the case may be referred to the U.S. Department of Justice for enforcement of the forfeiture pursuant to Section 504(a) of the Communications Act of 1934, as amended.⁶ CruiseEmail shall send electronic notification of payment to Nissa Laughner at

¹ 47 U.S.C. § 301; 47 C.F.R. § 1.903(a).

² *CruiseEmail*, Notice of Apparent Liability for Forfeiture, 25 FCC Rcd 7386 (Enf. Bur. 2010).

³ 47 U.S.C. § 503(b); 47 C.F.R. §§ 0.111, 0.311, 1.80.

⁴ 47 U.S.C. § 301; 47 C.F.R. § 1.903(a).

⁵ See 47 C.F.R. § 1.80.

⁶ 47 U.S.C. § 504(a).

Nissa.Laughner@fcc.gov, Daudeline Meme at Daudeline.Meme@fcc.gov, and Samantha Peoples at Sam.Peoples@fcc.gov on the date said payment is made.

5. The payment must be made by check or similar instrument, wire transfer, or credit card, and must include the NAL/Account number and FRN referenced above. Regardless of the form of payment, a completed FCC Form 159 (Remittance Advice) must be submitted.⁷ When completing the FCC Form 159, enter the Account Number in block number 23A (call sign/other ID) and enter the letters “FORF” in block number 24A (payment type code). Below are additional instructions you should follow based on the form of payment you select:

- Payment by check or money order must be made payable to the order of the Federal Communications Commission. Such payments (along with the completed Form 159) must be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000, or sent via overnight mail to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101.
- Payment by wire transfer must be made to ABA Number 021030004, receiving bank TREAS/NYC, and Account Number 27000001. To complete the wire transfer and ensure appropriate crediting of the wired funds, a completed Form 159 must be faxed to U.S. Bank at (314) 418-4232 on the same business day the wire transfer is initiated.
- Payment by credit card must be made by providing the required credit card information on FCC Form 159 and signing and dating the Form 159 to authorize the credit card payment. The completed Form 159 must then be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000, or sent via overnight mail to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101.

6. Any request for full payment under an installment plan should be sent to: Chief Financial Officer – Financial Operations, Federal Communications Commission, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554.⁸ If you have questions regarding payment procedures, please contact the Financial Operations Group Help Desk by phone, 1-877-480-3201, or by e-mail, ARINQUIRIES@fcc.gov.

7. **IT IS FURTHER ORDERED** that a copy of this Forfeiture Order shall be sent by first class mail and certified mail return receipt requested to Dr. John Gregory, Chief Executive Officer, CruiseEmail, 1440 Coral Ridge Drive, P.O. Box 160, Coral Springs, FL 33071.

FEDERAL COMMUNICATIONS COMMISSION

John D. Poutasse
Chief, Spectrum Enforcement Division
Enforcement Bureau

⁷ An FCC Form 159 and detailed instructions for completing the form may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>.

⁸ See 47 C.F.R. § 1.1914.